IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

FID.	ELITY INVESTMENTS LIFE)	
INS	URANCE COMPANY)	
	Plaintiff,)	
	vs.) Case No. 09 C	2704
	NISE SQUIRE, SHANA MAJMUD VACCARO,) OAR, and) Judge Der-Ye)	ghiayan
	Defendants.) Magistrate Jud))	ige Denlow

MOTION TO STRIKE DEFENDANT SQUIRE'S MOTION FOR SUMMARY JUDGMENT FOR FAILURE TO SATISFY LR 56.1

NOW COMES Plaintiff, FIDELITY INVESTMENTS LIFE INSURANCE COMPANY ("FILI"), by and through its attorneys, LOCKE LORD BISSELL & LIDDELL LLP, and, pursuant to LR 56.1(a)(3), moves this Court for an order striking Defendant Denise Squire's motion for summary judgment for failure to comply with LR 56.1. In support of this motion, FILI states as follows:

1. Under LR 56.1(a)(3), with each motion for summary judgment, the moving party is required to file and serve "a statement of material facts as to which the moving party contends there is no genuine issue and entitle the moving party to a judgment as a matter of law…" The statement should include a description of the parties and all facts supporting venue and jurisdiction in this Court. See, LR 56.1(a)(3).

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2. District Courts are entitled to expect strict compliance with LR 56.1. See,

Raymond v. Ameritech Corp., 442 F.3d 600, 604 (7th Cir. 2006). It is within the District Court's

discretion to strike submissions which fail to comply with LR 56.1. Bordelon v. Chicago School

Reform Board of Trustees, 233 F.3d 524, 527 (7th Cir. 2000). Additionally, the failure to

comply with LR 56.1 "constitutes grounds for denial of the motion." LR 56.1(a)(3).

3. On August 20, 2009, Defendant Denise Squire filed a motion for summary

judgment. (Docket #50). Defendant Squire submitted a "Memorandum In Support Of Her

Motion For Summary Judgment." (Docket #51). Squire, however, has not filed the statement of

material facts as required by LR 56.1(a)(3).

4. FILI remains prepared to address the substantive legal issues and factual disputes

related to Denise Squire's alleged involvement in the conspiracy to defraud FILI which preclude

summary judgment at this time. Squire's failure to comply with LR 56.1, however, requires that

Denise Squire's motion be stricken or denied.

WHEREFORE, Plaintiff, FILI, prays that this Court enter an order striking Denise

Squire's Motion For Summary Judgment or, in the alternative, deny the motion based on her

failure to comply with LR 56.1 and such further relief as is just and appropriate.

Date: September 4, 2009

LOCKE LORD BISSELL & LIDDELL LLP

By Mark A. Deptula

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FIDELITY INVESTMENTS LIFE

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Certificate Of Service

I, Mark A. Deptula, an attorney, certify that on September 4, 2009, I caused the aforesaid
filing to be served on All Counsel of Record via the ECF system, except service on Michael R.
Graf, Michael R. Graf PC, 750 West Northwest Highway, Arlington Heights, IL 60004 was made
via U.S. Mail.

/s/ Mark A. Deputla